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July 25, 2023

**Via ECF:**

The Honorable Gabriel W. Gorenstein, U.S.D.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl St.  
New York, NY 10007-1312

**MEMORANDUM ENDORSED**

Re: *Figuero v. Portx Inc., et al.*  
Civil Docket No.: 22-cv-06185 (GWG)

Dear Judge Gorenstein:

This office represents Plaintiff Jean C Figuero (“Plaintiff”) in this action, and we respectfully submit this joint letter motion, together with counsel for the Defendants, to respectfully request an extension of time for the parties to file their proposed Joint Pretrial Order in compliance with paragraph 3.B. of this Court’s Individual Practices (“JPTO”).

By way of brief background, on July 11, 2023, the Court directed the parties to file their JPTO on or before July 25, 2023. *See* Dkt. No. 21. As a preliminary matter, we sincerely apologize to Your Honor for not sooner filing the JPTO, or making this extension request for more time for the parties to do so.

Since July 11, 2023, the parties have exchanged settlement demands, expert report, and other pertinent information, part-and-parcel to counsels’ best efforts to resolve this matter amicably via a settlement. The parties have made substantial progress towards reaching a settlement, but will require some additional time to do so.

More recently, the parties have agreed on a private mediator, Judge DiBlasi, of National Arbitration and Mediation, who has agreed to host a virtual mediation with the parties, on August 18, 2023, from 2:00-5:00 pm.

At this time, the parties remain hopeful that they can resolve all claims asserted herein at their mediation, and therefore, the instant request is being made. As asserted above, the granting of this request will permit the parties sufficient time to conduct further good faith settlement discussions in this matter.

Accordingly, we respectfully request that Your Honor issue an Order adjourning the parties’ deadline to file the JPTO, until four (4) weeks following the parties’ mediation.

If this request is granted, the parties can file their JPTO on or before Friday, September 15, 2023.

We thank the Court for its kind consideration on this matter, and we remain available to provide any additional information necessary to adjourn the parties' JPTO submission deadline.

Respectfully submitted,

*Roman Avshalumov*  
Roman Avshalumov, Esq.

CC:

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**ATTORNEY TO BE NOTICED FOR THE DEFENDANTS**

Extension to September 15, 2023, granted.

So Ordered.

*Gabriel W. Greenstein*  
GABRIEL W. GREENSTEIN  
United States Magistrate Judge

July 26, 2023